

Order

Michigan Supreme Court
Lansing, Michigan

July 25, 2011

Robert P. Young, Jr.,
Chief Justice

142533 & (73)(74)(76)(77)(79)

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

GENERAL MOTORS CORPORATION,
Plaintiff-Appellant,

v

SC: 142533
COA: 291947
Ct of Claims: 07-000151-MT

DEPARTMENT OF TREASURY,
Defendant-Appellee.

On order of the Court, the motions for leave to file brief amicus curiae are GRANTED. The application for leave to appeal the October 28, 2010 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

MARKMAN, J. (*dissenting.*)

I would grant leave to appeal to address whether: (a) the Due Process Clause of Const 1963, art 1, §17 states anything different concerning the constitutionality of retroactive application of state tax laws than does Amendments V or XIV of the United States Constitution; and (b) whether it is relevant in enacting retroactive tax laws that the Legislature asserting that such laws are “curative,” and intended to express the “original intent of the Legislature,” is not the Legislature that enacted the laws in question, but rather a subsequent Legislature.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 25, 2011

Corbin R. Davis

Clerk